

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

TERRY LEE PIASECKI,

Petitioner,

VS.

GARY L CURRIE,

Respondent.

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CIVIL ACTION NO. 2:15-CV-162

OPINION AND ORDER OF TRANSFER

This is a habeas action filed by a state prisoner incarcerated at TDCJ-CID's McConnell Unit in Beeville, Texas (D.E. 1 at 2). Petitioner challenges 2011 convictions and concurrent life sentences for Sexual Assault, Aggravated Assault with a Deadly Weapon, and Robbery imposed by the 284th District Court in Montgomery County, Texas (*Id.*; D.E. 2 at 4-5).

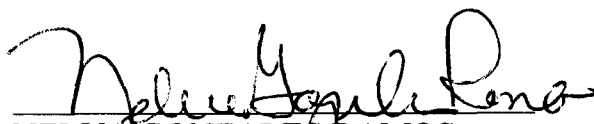
A habeas action may be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d); Wadsworth v. Johnson, 235 F.3d 959 (5th Cir. 2000). Petitioner's place of incarceration is in Bee County in the Corpus Christi Division of the Southern District of Texas, 28 U.S.C. § 124(b)(6), and he was convicted by a court located in the Houston Division of the Southern District of Texas. 28 U.S.C. § 124(b)(2).

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. §§ 1404(a) and 1406(a). A habeas application may be

transferred in furtherance of justice to the district court within which the State court was held which convicted and sentenced the petitioner. 28 U.S.C. § 2241(d). Because petitioner was convicted in Montgomery County, it is more convenient and would further the interests of justice for this action to be handled in the Houston Division of the Southern District of Texas. The records of his conviction, the prosecutor and defense lawyer, and the witnesses are all located in the Houston Division of the Southern District of Texas.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Southern District of Texas, Houston Division. All pending motions are denied as moot and subject to renewal after the case is transferred.

SIGNED and ENTERED this _____ day of 4/7/15, 2015.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE